

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

09	UNITED STATES OF AMERICA,)	
10	Plaintiff,)	
11	v.)	Case No. 05-370M
12	ROBERTO EDEN MONTOYA,)	DETENTION ORDER
13	Defendant.)	
14	_____)	

Offense charged:

Possession of Methamphetamine with Intent to Distribute, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B).

Date of Detention Hearing: July 26, 2005

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that defendant is a flight risk and a danger to the community based on the nature of the pending charges. Defendant has not overcome these presumptions.


(2) Defendant has stipulated to detention, but reserves the right to contest his

01 continued detention if there is a change in circumstances.

02 IT IS THEREFORE ORDERED:

- 03 (1) Defendant shall be detained pending trial and committed to the custody of the
04 Attorney General for confinement in a correction facility separate, to the
05 extent practicable, from persons awaiting or serving sentences or being held in
06 custody pending appeal;
- 07 (2) Defendant shall be afforded reasonable opportunity for private consultation
08 with counsel;
- 09 (3) On order of a court of the United States or on request of an attorney for the
10 government, the person in charge of the corrections facility in which
11 defendant is confined shall deliver the defendant to a United States Marshal
12 for the purpose of an appearance in connection with a court proceeding; and
- 13 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
14 counsel for the defendant, to the United States Marshal, and to the United
15 States Pretrial Services Officer.

16 DATED this 26th day of July, 2005.

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18 JAMES P. DONOHUE
19 United States Magistrate Judge
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